

06-16-04

3731

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293/002 Cont. 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

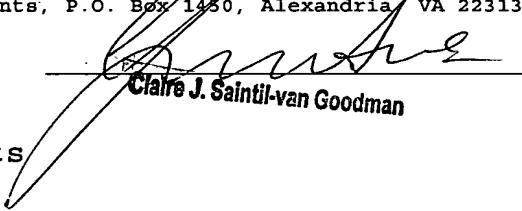
Applicants : David S. Goldsteen et al.  
Application No. : 10/090,121 Confirmation No. : 3451  
Filed : February 28, 2002  
For : MEDICAL GRAFTING METHODS AND APPARATUS  
Group Art Unit : 3731  
Examiner : Michael H. Thaler

EXPRESS MAIL CERTIFICATION

Express Mail mailing label number: EV270259720US

Date of Deposit: June 14, 2004

I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

  
Claire J. Saintil-van Goodman

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith: [ ] a Preliminary Amendment;  
[X] a Reply to Office Action; [ ] a Supplemental Amendment;  
[ ] a substitute Specification; [ ] a Declaration; [ ] a  
Supplemental Declaration; [ ] a Power of Attorney; [ ] an  
Associate Power of Attorney; [ ] formal drawings.

FEE FOR ADDITIONAL CLAIMS

[X] A fee for additional claims is not required.

[ ] A fee for additional claims is required.

The additional fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADD'L FEES
Total Claims	9	47*	0	X \$ 18 =	\$ 0.00
Independent Claims	2	9**	0	X \$ 86 =	\$ 0.00
First Presentation of a Multiple Dependent Claim				+ \$290 =	\$ 0.00
* If less than 20, insert 20. ** If less than 3, insert 3.				TOTAL	\$ 0.00

[ ] A check in the amount of \$ \_\_\_\_\_ in payment of the filing fee is transmitted herewith.

[X] The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §§ 1.16 and 1.17, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

[ ] Please charge \$ \_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

EXTENSION FEE

[ ] The following extension is applicable to the Response filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$420.00 extension fee for response within second

month pursuant to 37 C.F.R. § 1.136(a); [ ] \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,480.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$2,010.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- [X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Respectfully submitted,



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New York, New York 10020  
June 14, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

REPLY TO OFFICE ACTION

Sir:

Responsive to the Office Action mailed May 14, 2004 which did not address the merits of the above-identified patent application, but set forth an election/restriction requirement under 35 U.S.C. § 121 requiring applicants to make an election of the invention to be examined, applicants hereby elect claims 4-6 and 17-22 (identified by the Examiner as invention II) for prosecution in the above-identified patent application.

Applicants hereby respectfully reserve the right to pursue the inventions of the non-elected groups, as originally claimed, in one or more divisional applications.

Respectfully submitted,



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